

TOURISM, ARTS, AND HERITAGE CABINET
Kentucky State Fair Board
(As Amended at ARRS, December 9, 2021)

303 KAR 1:080. Exposition Center, grounds; dissemination of material; demonstrations.

RELATES TO: KRS 247.145

STATUTORY AUTHORITY: KRS 247.145 [KRS Chapter 13A]

NECESSITY, FUNCTION, AND CONFORMITY: **KRS 247.145 authorizes the Kentucky State Fair Board to promulgate administrative regulations as are necessary to maintain decency and good order; protect the peace or safety of the general public; protect the public interest, convenience, or necessity; or govern the operation, maintenance, or use of property under its custody and control. This administrative regulation establishes requirements relating to**~~[To regulate]~~ dissemination of material and demonstrations on the Kentucky State Fair and Exposition Center grounds.

Section 1. (1) **The following shall be permitted on the grounds of the Kentucky Fair and Exposition Center at the locations designated on a diagram of the Kentucky Fair and Exposition Center and in accordance with the requirements of this section:**

(a) The peaceful noncommercial distribution of leaflets;~~;~~;

(b) The setting up of tables;~~;~~[and,]

(c) The peaceful holding of discussions with patrons of the Kentucky Fair and Exposition Center to aid in ~~[that]~~ distribution;~~;~~ ; and

(d) The peaceful carrying of placards. ~~[shall be permitted on the grounds of the Kentucky Fair and Exposition Center in the following manner at the locations designated on a diagram of the Kentucky Fair and Exposition Center, a copy of which is filed herein by reference. Copies may be obtained from the Kentucky State Fair Board, P. O. Box 21179, Louisville, Kentucky 40221.]~~

(2) The following areas shall be designated for the activities referenced in subsection (1) of this section:

(a) Main Entrance to the Freedom Hall: Areas 1, 2

(b) Main entrance to East Hall: Area 3

(c) Main entrance North Wing: Areas 4, 5

(d) Main Entrance South Wing A: Area 6

(e) Main Entrance South Wing B: Area 7

(f) Main entrance South Wing C: Area 8

(g) Main Entrance to West Hall/Wing: Area 9

(h) Main Entrance to Broadbent Arena: Area 10

(i) Pavilion: Area 11, and

(j) New Market Hall: Area 12.

~~**[(a) Main Entrance to the Coliseum: Areas A, B, C and D.**~~

~~**(b) Inside the Coliseum Building: Areas E and F.**~~

~~**(c) Main entrance to East Hall: Areas G and H.**~~

~~**(d) Inside East Hall Entrance: Areas J and K.**~~

~~**(e) Main Entrance to East Wing: Areas L and M.**~~

~~**(f) Inside Entrance to East Wing: Areas N and O.**~~

~~**(g) Main Entrance to West Hall: Areas P and Q.**~~

~~**(h) Inside Entrance to West Hall: Areas R and S.**~~

~~(i) Main Entrance to West Wing: areas T and U.~~

~~(j) Inside Entrance to West Wing: Areas V and W.~~

~~(k) Main Entrance to Broadbent Arena: Areas X and Y.~~

~~(l) Inside Entrance to Broadbent Arena: Areas Z and Z-1.~~

~~(m) Entrance to Stadium: Areas AA through OO.~~

~~(n) Pavilion: Area Z-2.~~

~~(o) New Market Hall: Areas Z-3 and Z-4.~~

~~(p) In the event that functions are scheduled on the grounds of the Kentucky Fair and Exposition Center at locations with respect to which no areas for distributions and demonstrations have been above designated, the executive director shall designate such additional areas for such activities as he may deem appropriate.~~

~~(q)]~~ One (1) table may be set up at all areas, other than Areas E and F, in order to aid distribution activities.

~~(k)](r)]~~ Placards shall be permitted at all areas other than Areas E and F.

~~(l)](s)]~~ Areas E and F shall be unavailable when control gates for admission charges, ~~[and/or]~~ registration for an event, or both, are set up at the main entrance to the Coliseum.

(3) The executive director may designate additional areas for activities listed in subsection (1) if functions are scheduled on the grounds of the Kentucky Fair and Exposition Center at locations that have not been designated for the activities in subsection (1).

~~(4)](2)]~~ Any person or group who wishes to conduct any of the above activities at the locations specified shall apply to the Executive Director of the Kentucky ~~Fair~~[fair] and Exposition Center. ~~[on forms provided by him for this purpose.]~~ Application shall be made not less than seventy-two (72~~[4]~~) hours nor more than two (2) weeks before commencement of the activities. The application shall set forth the type of activities to be conducted; ~~[;]~~ the expected number of participants in ~~the~~[such] activities; ~~[;]~~ the time, location, and duration of the activities; ~~[;]~~ and the name, address, and telephone number of the person making the application. ~~For~~[in the case of] a group, it shall be sufficient to supply the name, address, and telephone number of one (1) person who can be contacted if problems arise concerning the grant of the application.

(a) A deposit of twenty-five (25) dollars cash or money order shall be submitted with the application~~[;]~~ and shall be returned to the applicant within twenty-four (24) hours after the termination of the activities if there has been no extra cleanup time required by the Kentucky Fair and Exposition Center staff as a result of the litter created by the ~~[aforesaid]~~ activities.

(b) The executive director shall grant each application to engage in the activities permitted by this administrative regulation~~[hereunder]~~, unless he and the President of the Kentucky State Fair Board determine that the proposed number of participants contained in an~~[and]~~ application will unreasonable and substantially interfere with either:

1. The safety of patrons attending the Kentucky Fair and Exposition Center;
2. The orderly movement of vehicle and pedestrian traffic on the grounds of the Kentucky Fair and Exposition Center; or
3. The normal functions of the Kentucky Fair and Exposition Center.

~~(c) If~~[4. In the event that] the executive director and the president of the board ~~[Kentucky State Fair Board]~~ find that the proposed number of participants will create [such] unreasonable and substantial interference, the executive director, after consultation with the President of the board~~[Kentucky State Fair Board]~~, shall grant the application subject to a reduced number of participants in the proposed activities, and shall notify the applicant in writing of the grounds for reducing the number of participants. 1. If there are~~[In the event of]~~ multiple applications for any given times and locations, the executive director may allocate~~[shall have discretion to]~~:

- a. The ~~[Allocate such]~~ locations, on a proportional basis, among the various applicants;

b. ~~[Allocate]~~ Times, on a proportional basis, during which the various applicants may conduct their activities; or

c. ~~[Allocate]~~ Any given period of time or location, on a proportional basis, among the various applicants.~~;~~

~~2.[(d)]~~ In exercising ~~this[such]~~ discretion, the executive director shall try, to the maximum extent possible, to accommodate the location and time requests of all applicants.

~~(d) [(e)]~~ The grant of the application by the executive director shall be in the form of a permit, which shall set forth the number of persons covered by the permit, the activities ~~that[which]~~ are permitted, the permitted time and duration of those activities, and the location at which the activities may be conducted.

~~(e) [(d)]~~ The duration of each permit issued shall not be in excess of two (2) days. Any person or group may renew a permit for successive two (2) day periods. Renewal applications shall be made on the same form as new applications and shall be processed as if they were new applications.

~~(5) [(3) No]~~ Signs, leaflets, placards, or other material shall not be affixed to the building facilities. ~~[No]~~ Leaflets or other material shall not be distributed by leaving them unattended throughout the Kentucky Fair and Exposition Center.

~~(6) [(4) No]~~ Voice amplification equipment of any kind shall not be used by any person or group to aid in the conducting of any of the activities permitted by this administrative regulation[hereunder].

~~(7) [(5) No]~~ Signs, leaflets, placards or other material distributed shall not contain any obscene, subversive, salacious, or libelous material.

~~(8) (a) [(6)]~~ The executive director may suspend any permit already granted ~~if[in the event that]~~ the conduct of the applicant or any of his agents or associates unreasonably and substantially interferes with either:

~~1. [(a)]~~ The safety of patrons attending the Kentucky Fair and Exposition Center;

~~2. [(b)]~~ The orderly movement of vehicle and pedestrian traffic on the grounds of the Kentucky Fair and Exposition Center; or

~~3. [(c)]~~ The normal functions of the Kentucky Fair and Exposition Center.~~;~~

~~(b) If [(d) Or in the event of the failure of]~~ the applicant or any of his agents or associates fail to comply with any of the provisions set forth in this section,~~;~~ the executive director shall suspend the permit by providing written notice ~~[in writing]~~ to the applicant. ~~This[; and such]~~ notice shall state the grounds for the suspension.

~~(9) [(7)] A[No]~~ person shall not engage in the activities permitted by this administrative regulation[hereunder] without first securing a permit pursuant to the provisions of this section.

Section 2. The provisions of this administrative regulation shall not apply to the Kentucky Fair and Exposition Center grounds during the annual Kentucky State Fair.

Section 3. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Kentucky State Fair and Exposition Center Diagram", November 2021; and

(b) "Kentucky State Fair and Exposition Center Activity Permit Application", November 2021.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky State Fair Board, 937 Phillips Lane, Louisville, Kentucky 40209, Monday through Friday, 8:00 a.m. to 4:30 p.m.

CONTACT PERSON: Carrie Bauer, General Counsel, Kentucky State Fair Board, 937 Phillips Lane, Louisville, Kentucky 40209; phone 502-367-5244; fax 502-367-5109; email carrie.bauer@kyvenues.com.